



W.P.(MD).No.21298 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.09.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.21298 of 2022

D.Marimuthu

... Petitioner

vs.

1.The District Collector,
Office of the District Collectorate,
Trichy.

2.The Revenue Divisional Officer,
Revenue Division Office,
Lalgudi,
Trichy District.

3.The Tahsildar,
Office of the Tahsildar,
Lalgudi,
Trichy District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first and second respondents to direct the third respondent to issue a Patta in the petitioner's name in respect of Survey No.62/7C in Patta No.441 which is



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situated at Mummudi Cholamangalam Village, Trichy District, by considering the petitioner's representation dated 13.08.2022, in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.J.Vishnu

For Respondents : Mr.D.Gandhiraj

Special Government Pleader

ORDER

This Writ Petition is filed for issuance of a Writ of Mandamus, directing the first and second respondents to direct the third respondent to issue a Patta in the petitioner's name in respect of Survey No.62/7C in Patta No.441, which is situated at Mummudi Cholamangalam Village, Trichy District, by considering the petitioner's representation dated 13.08.2022.

2. By consent, the Writ Petition itself is taken up for final disposal.

3. The property in Survey No.62/5 originally belongs to Ayyakannu. After the demise of Ayyakannu, his son viz., Malayandi is an



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possession and enjoyment of the said property and Patta No.441 stands in the name of Malaiandi. The Survey No.62/5 has been subdivided as New Survey No.62/7C. Malayandi has left behind his wife Paapathi and daughter Vijayalakshmi to succeed to this estate. The said Paapathi and Vijayalakshmi executed a sale deed in favour of the petitioner for valuable consideration of Rs.7,000/-, on 24.07.1991. It is stated that the New Survey No.62/7C has been subdivided as 62/7C1, 62/7C2, 62/7C3, 62/7C4 and 62/7C5. The petitioner has constructed a hut for 630 sq.ft. and he is possession and enjoyment of the same. The petitioner has also paid the house tax and electricity charges and gave a petition to the Executive Department, Town Panchayat on 20.12.2021, seeking Patta in his name. Despite that, no Patta has been issued in favour of the petitioner. Therefore, the petitioner has submitted a representation dated 13.08.2022, before the respondents. However, there was no response from the respondents. Hence, the petitioner has filed the present writ petition.



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4. The learned counsel appearing for the petitioner would submit that it would suffice to issue direction to the respondents to consider the petitioner's representation, dated 13.08.2022.

5. The learned Special Government Pleader appearing for the respondents has no objection for such an order being passed by this Court.

6. However, considering the facts and circumstances of the case, this Court, without going into the merits of the matter, directs the petitioner to give a fresh representation by enclosing a copy of this order, within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the third respondent shall consider the same and pass appropriate orders, purely on merits and in accordance with law, within a period of four weeks.



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7. With the above directions, this Writ Petition is disposed of. No costs.

06.09.2022

Index: Yes/No

Internet: Yes/No

akv

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V.BHAVANI SUBBAROYAN,J.

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